IN THE HIGH COURT OF BOMBAY AT GOA, PANAJI-GOA

MISC. CIVIL APPLICATION NO. 317 OF 2006

Caetano William Gonsalves,
r/o Brightom, England through
his duly constituted Power of Attorney
Mrs. Angeline Aguiar, r/o H. No. 207,
Madant Piedade, Divar,
Ilhas, Goa. 403 403. ... Applicant

Versus

1. Louise Amanda Hutchinson,
C/o Andrea m'ckoy, r/o 44,
Bushby Close, Lancing,
Sompting, West Sussex, b n
15, 9 jw, United Kingdom.

2. State of Goa represented
by the Ministerio Publico
(Public Ministry) through
the Advocate General,
Panaji, Goa. ... Respondents

Shri Vivek Rodrigues, Advocate for Applicant.

Ms. W. Coutinho, Government Advocate for Respondent No.2.

CORAM : **P. V. KAKADE, J.**

DATE : **15th September, 2006**

ORAL ORDER:

Heard Mr. Vivek Rodrigues, the learned Counsel for the applicant. Heard Government Advocate for Respondent No.2, who is a

formal party. Respondent No.1 is duly served, but none present on behalf of Respondent No.1.

2. This is an application for confirmation of Judgment of absolute divorce, passed by the Brighton County, United Kingdom in Case No. HB05D00824 on 12.04.2006.

3. It is averred by the applicant, that he is a British National residing at 58, Preston Street, Brighton, B N 12 H E, England and has therefore, filed this application through his duly constituted Power of Attorney. The applicant was married to respondent no.1 in the year 1994 in Goa and the marriage came to be registered before the Civil Registrar, Mapusa, Goa at entry No. 41/94 of the Marriage Registration Book for the year 1994. They resided together in United Kingdom as husband and wife until 2006 and had no issues out of the wedlock. Due to the incompatibility of the applicant and the respondent no.1, they filed proceedings for divorce before the Brighton County Court, United Kingdom and the competent Court was pleased to pass a Judgment of Absolute Divorce in the above case wherein respondent no.1 was granted divorce and the marriage was dissolved. It is further stated, that since the marriage of the parties was

registered in Goa, the entry of registration still exists in the books of the Civil Registrar, Mapusa. It is submitted, that as per the law of the land and by virtue of various Judgments of this Hon'ble Court, it is necessary that the Judgment of the Brighton County Court, United Kingdom be confirmed and a direction be given to the Civil Registrar to cancel the entry in the books.

4. The application appears to be unchallenged. Perusal of the entire records shows, that there is no reason why the application should not be allowed. Hence, in view of the facts and circumstances, the application is made absolute in terms of prayer clause (a) & (b). The divorce granted by the Judgment dated 12.04.2006 passed by the Brighton County, United Kingdom is hereby confirmed and the Civil Registrar, Mapusa is directed to cancel the entry in the Marriage Registration Book under entry No. 41/94. With this direction the application stands disposed of with no order as to costs.

P. V. KAKADE, J.

NH